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# NOTICE OF ALLOWANCE AND FEE(S) DUE

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7590

10/01/2004

INTERNATIONAL BUSINESS MACHINES CORPORATION DEPT. 18G

BLDG. 300-482 2070 ROUTE 52

HOPEWELL JUNCTION, NY 12533

EXAMINER

GURLEY, LYNNE ANN

ART UNIT

PAPER NUMBER

2812

DATE MAILED: 10/01/2004

1	APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
	10/604,602	08/04/2003	Anthony K. Stamper	FIS920030131US1	1601

TITLE OF INVENTION: DAMASCENE INTERCONNECT STRUCTURES INCLUDING ETCHBACK FOR LOW-K DIELECTRIC MATERIALS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1370	\$300	\$1670	01/03/2005

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATEN PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHT THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPO PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM TH MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THE STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOV REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (O AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WIL BE REGARDED AS ABANDONED.

#### HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

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If the SMALL ENTITY is shown as NO:

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B. If applicant claimed SMALL ENTITY status before, or is n claiming SMALL ENTITY status, check box 5a on Part B - Fee Transmittal and pay the PUBLICATION FEE (if required) and 1 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) w your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

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Complete and send this form, together with applicable fee(s), to: Mail

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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed wh appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address

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APPLICATION NO. FILING DATE PRIST NAMED INVENTOR ATTORNEY DOCKET NO. CONFIRMATION NO. 10/694,602 08/04/2003 Anthony K. Stamper FIS920030131US1 1601  TITLE OF INVENTION: DAMASCENE INTERCONNECT STRUCTURES INCLUDING ETCHBACK FOR LOW-K DIELECTRIC MATERIALS  APPLN TYPE SMALL ENTITY ISSUE FEE PUBLICATION FEE TOTAL FEE(S) DUE DATE DUE nonprovisional NO \$1370 \$300 \$1670 01/03/2005  EXAMINER ART UNIT CLASS-SUBCLASS  GUEY, LYNNE ANN 2812 438-409000  I. Change of correspondence address of indication of "Fee Address" (37 CFR 1.363)  Change of correspondence address of condication of "Fee Address" indication of "Fee Address of "Address of the printing of the patient					transmitted to the US	PTO (703) 746-4000, on the		
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CFR 1.363).  Change of correspondence address (or Change of Correspondence Address for PTO/SB/122) attached.  Change of correspondence address (or Change of Correspondence Address for PTO/SB/122) attached.  Change of correspondence address (or Change of Correspondence Address for PTO/SB/122) attached.  Change of correspondence address (or Change of Correspondence Address for PTO/SB/122) attached.  Change of correspondence address (or Change of Correspondence Address for PTO/SB/122) attached.  Change of correspondence address (or Change of Correspondence Address for PTO/SB/122) attached.  Change of correspondence address (or Change of Correspondence Address for PTO/SB/122) attached.  Change of correspondence address (or Change of Correspondence or agents of Registered patent attorneys or agents of Registered patent attorneys or agents. If no name is site of the names of up to 2 registered patent attorneys or agents. If no name is 1 site of 2 registered patent attorneys or agents. If no name is 1 site of 2 registered patent attorneys or agents. If no name is 1 site of 2 registered patent attorneys or agents. If no name is 1 site of 2 registered patent attorneys or agents. If no name is 1 site of 2 registered patent attorneys or agents. If no name is 1 site of 2 registered patent attorneys or agents. If no name is 1 site of 2 registered patent attorneys or agents. If no name is 1 site of 2 registered patent attorneys or agents. If no name is 1 site of 2 registered patent attorneys or agents. If no name is 1 site of 2 registered attorneys or agents of 2 registered attorneys or agents. If no name is 1 site of 2 registered attorneys or agent or other private registered attorneys or agent is dentified below, the document has been filed the records of the Spanness or a substitute for filing an assignment.  (A) NAME OF ASSIGNEE  A check the appropriate assignee category or categories (will not be printed on the patent):  District of the United Status (from status indicated above)  A check in the amount of the fee(s) is	1. Change of correspondence	e address or indication of "Fe	e Address" (37	2. For pri	nting on the patent front page	list		
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Number is required.  3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)  PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.  (A) NAME OF ASSIGNEE  (B) RESIDENCE: (CITY and STATE OR COUNTRY)  Please check the appropriate assignee category or categories (will not be printed on the patent): Individual Corporation or other private group entity Governments.  4a. The following fee(s) are enclosed:    Publication Fee (No small entity discount permitted)   Advance Order - # of Copies   Payment by credit card. Form PTO-2038 is attached.   Payment by credit card. Form PTO-2038 is attached. (enclose an extra copy of this form).  5. Change in Entity Status (from status indicated above)   Applicant claims SMALL ENTITY status. See 37 CFR 1.27.   D. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).  The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant, a registered attorney or agent; or the assignee or other part interest as shown by the records of the United States Patent and Trademark Office.  Typed or printed name   Patent Interest as Indicated Interest as Indicated Interest in the Interest as Indicated Interest in the Interest	☐ "Fee Address" indicat	tion (or "Fee Address" Indicat	ion form	registered	attorney or agent) and the na	mes of up to		
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PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.  (A) NAME OF ASSIGNEE  (B) RESIDENCE: (CITY and STATE OR COUNTRY)  Please check the appropriate assignee category or categories (will not be printed on the patent): Individual Corporation or other private group entity Governments.  4a. The following fee(s) are enclosed:  4b. Payment of Fee(s):  A check in the amount of the fee(s) is enclosed.  Publication Fee (No small entity discount permitted)  Advance Order - # of Copies  The Director is hereby authorized by charge the required fee(s), or credit any overpayment peposit Account Number  (enclose an extra copy of this form).  5. Change in Entity Status (from status indicated above)  A applicant claims SMALL ENTITY status. See 37 CFR 1.27.  b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).  The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.  NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other part interest as shown by the records of the United States Patent and Trademark Office.  Paternal Province of the Uspect of the Uspect of the United States Patent and Trademark Office.	3. ASSIGNEE NAME AND	RESIDENCE DATA TO BE	PRINTED ON T	HE PATEN	T (print or type)	+		
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□ Issue Fee □ A check in the amount of the fee(s) is enclosed. □ Publication Fee (No small entity discount permitted) □ Advance Order - # of Copies □ The Director is hereby authorized by charge the required fee(s), or credit any overpayment Deposit Account Number □ (enclose an extra copy of this form).  5. Change in Entity Status (from status indicated above) □ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. □ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).  The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other part interest as shown by the records of the United States Patent and Trademark Office.  Authorized Signature □ Date □  Typed or printed name □ Registration No. □  Fig. collection of information in the properties of information in the proper					·	orporation or other private gr	oup entity Governm	
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Typed or printed name Registration No	NOTE: The Issue Fee and Printerest as shown by the reco	ublication Fee (if required) was ords of the United States Pater	ll not be accepted it and Trademark	from anyone Office.	e other than the applicant; a re	gistered attorney or agent; or the	he assignee or other part	
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This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to proc an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P. Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THE ADDRESS SEND TO Govern	1 yped or printed name				Registration	n No		
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PTOL 85 (Rev 09/04) Approved for use through 04/30/2007



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/604,602 08/04/2003		Anthony K. Stamper	FIS920030131US1	1601
32074	7590 10/01/2004		EXAM	INER
	ONAL BUSINESS MAG	GURLEY, LYNNE ANN		
CORPORATI DEPT. 18G	ON		ART UNIT	PAPER NUMBER
BLDG. 300-48	2		2812	
2070 ROUTE 52 HOPEWELL JUNCTION, NY 12533			DATE MAILED: 10/01/2004	1

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 0 day(s). If the issue fee is paid on the date that is three months after t mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a h months) after the mailing date of this notice, the Patent Term Adjustment will be 0 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date th determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retriev (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office Patent Legal Administration at (703) 305-1383. Questions relating to issue and publication fee payments should directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/604,602	08/04/2003	Anthony K. Stamper	FIS920030131US1	1601
32074	7590 10/01/2004		EXAM	INER
INTERNATION	AL BUSINESS MACHIN	GURLEY, LYNNE ANN		
CORPORATION	V			
DEPT. 18G			ART UNIT	PAPER NUMBER
BLDG. 300-482			2812	
2070 ROUTE 52				
HOPEWELL JUNCTION, NY 12533			DATE MAILED: 10/01/2004	

## Notice of Fee Increase on October 1, 2004

If a reply to a "Notice of Allowance and Fee(s) Due" is filed in the Office on or after October 1, 2004, then t amount due will be higher than that set forth in the "Notice of Allowance and Fee(s) Due" because some fees w increase effective October 1, 2004. See Revision of Patent Fees for Fiscal Year 2005; Final Rule, 69 Fed. Reg. 5260 52606 (May 10, 2004).

The current fee schedule is accessible from WEB site (http://www.uspto.gov/main/howtofees.htm).

If the fee paid is the amount shown on the "Notice of Allowance and Fee(s) Due" but not the correct amount in vie of the fee increase, a "Notice of Pay Balance of Issue Fee" will be mailed to applicant. In order to avoid processi delays associated with mailing of a "Notice of Pay Balance of Issue Fee," if the response to the Notice of Allowan is to be filed on or after October 1, 2004 (or mailed with a certificate of mailing on or after October 1, 2004), t issue fee paid should be the fee that is required at the time the fee is paid. See Manual of Patent Examining Procedu (MPEP), Section 1306 (Eighth Edition, Rev. 2, May 2004). If the issue fee was previously paid, and the response the "Notice of Allowance and Fee(s) Due" includes a request to apply a previously-paid issue fee to the issue f now due, then the difference between the issue fee amount at the time the response is filed and the previously-pa issue fee should be paid. See MPEP Section 1308.01.

Effective October 1, 2004, 37 CFR 1.18 is amended by revising paragraphs (a) through (c) to read as set forth below

Section 1.18 Patent post allowance (including issue) fees.

(a) Issue fee for issuing each original or reissue patent, except a design or plant patent:

By a small entity (Sec. 1.27(a))	\$685.00
By other than a small entity	\$1,370.00
(b) Issue fee for issuing a design patent:	
By a small entity (Sec. 1.27(a))	\$245.00
By other than a small entity	
(c) Issue fee for issuing a plant patent:	
By a small entity (Sec. 1.27(a))	\$330.00

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Questions relating to issue and publication fee payments should be directed to the Customer Service Center of t Office of Patent Publication at (703) 305-8283.